

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7031

BILL NUMBER: HB 1515

NOTE PREPARED: Dec 21, 2006

BILL AMENDED:

SUBJECT: Manufacturing Methamphetamine; Controlled Substance Waste.

FIRST AUTHOR: Rep. Bell

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill enhances the penalty for dumping controlled substance waste and for manufacturing methamphetamine if the crimes are committed in a location accessible to children.

Effective Date: July 1, 2007.

Explanation of State Expenditures: Under current law, manufacture, finance, delivery, or possession of methamphetamine is a Class B felony, except in certain circumstance where it is a Class A felony. The bill would add a person who manufactured the drug in a location accessible to children to the Class A felony, which could increase the length of time an offender is incarcerated in a state prison. The bill also increases the penalty, and potentially the length of stay in a correctional facility, for dumping controlled substance waste, a Class D felony, to a Class C felony if the waste is accessible to children.

State expenditures would increase if an offender is incarcerated in a state prison for a longer period of time. The following table indicates the sentencing range and average length of stay for felony offenders for each felony class in the bill.

Felony Class	Sentencing Range	Average length of stay for all felony offenders of the Class
A	20 to 50 years	9.1 years
B	6 to 20 years	3.4 years
C	2 to 8 years	2.0 years
D	3 years or reduction to Class A misdemeanor	10 months

There are no data available to indicate how many offenders are committed to Department of Correction (DOC) facilities for these offenses. The average expenditure to house an adult offender was \$22,734 in FY 2006. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. The estimated average cost of housing a juvenile in a state juvenile facility was \$63,139.

Explanation of State Revenues: No change would likely occur in state revenue as a result of this bill since criminal fines and court fees are the same for Class A, B, C, and D felonies.

Explanation of Local Expenditures:

Explanation of Local Revenues: No additional revenues would be expected since the court fees for all felony classes are \$120.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Sheriffs' Association, Department of Correction.

Fiscal Analyst: Karen Firestone, 317-234-2106.